

DATE 12/10/09  
 LOCATION Plano  
 JUDGE RICHARD SCHELL  
 DEPUTY CLERK B Sanford  
 RPTR/ECRO Jerry Kelley  
 TAPE # B E  
 USPO Lori Carlson  
 INTERPRETER:  
 BEGIN 2:21 pm/ 2:54 pm

CASE NUMBER 4:08cr226  
 USA Ernest Gonzalez  
 VS Ernest Gonzalez

Assigned  
Appeared

BOBBY BRANDON KINSEY

Defendant

John Teakell

Attorney

## SENTENCING

X ..... Sentencing held

| CT | CUSTODY   | FINE | REST | PROB | SUP/REL    | CC/CS | W/CT | SP/ASSESS |
|----|-----------|------|------|------|------------|-------|------|-----------|
| 1  | 60 months |      |      |      | 5 years    |       |      | 100.00    |
| 2  | 60 months |      |      |      | 5 years cc |       |      | 100.00    |
|    |           |      |      |      |            |       |      |           |

No ruling is necessary on objection #1 because it doesn't effect anything.

The court will note the clarification in objection #2 for Mr. Kinsey.

Mr. Kinsey is sworn in.

Downward departure [De #78] is denied.

The court will grant motion to file under seal [de#79].

Downward departure [de#79.2] is denied.

The court adopts the facts as set forth in the presentence report.

Counts 1&2 to be served consecutively.

Got's motion to dismiss ct 3 is granted.

X ..... Dft advised of right to appeal plea and/or sentence, and apply for court appointed counsel.

CRIM 92-118

See reverse/attached for additional proceedings

Adjourn